IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:	) Before the Examiner: Lyle Alexander ) Group Art Unit 1743
William Crismore et al.	) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the
Serial No. 10/693,305	Commissioner for Patents, P. O. Box 1450. Alexandria, VA 22313-1450 on January 19, 2007.
Filed: October 24, 2003	Thomas Q. Henry Name of Registered Representative
ELECTROCHEMICAL BIOSENSOR TEST STRIP	Signature  January 19 2007  Date of Signature

## THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to the duty of disclosure embodied in 37 C.F.R.1.56, Applicant wishes to bring to the attention of the Examiner the following patents, publications and/or other information listed on the enclosed PTO Form PTO/SB-08A and/or PTO/SB-08B. This information has not been previously submitted in this application, and has not been heretofore cited by the Examiner. Copies of cited items are enclosed in accordance with 37 C.F.R. § 1.98.

In addition to other art identified herein, applicant has determined that a prior art device marketed by Bayer Corporation under the trademark GLUCOMETER ELITE® was being sold more than a year before the earliest priority date for this application, and therefore constitutes prior art under §102(b). Below is a picture of the Glucometer Elite product, and an actual sample of the device is attached hereto on the right side of the below picture. Also

Third Supplemental Information Disclosure Statement Serial No. 10/693,305 #439971

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Approved for use through 03/31/2007. OMB 0651-0031
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Under the Paperwork Reduction Act of 1995, no persons are req to respond to a collection of information unless it contains a valid OMB control number Complete if Known JAN 2 3 2007 Substitute for form 1449/PTO **Application Number** 10/693,305 INFORMATION DISCLOSURI Filing Date October 24, 2003 STATEMENT BY APPLICAT First Named Inventor William Crismore 1743 Art Unit (Use as many sheets as necessary) Lyle Alexander **Examiner Name** 2 7404-572 Sheet 1 Attorney Docket No. of

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Document Number  Number-Kind Code <sup>2</sup> (If known)		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		US-	5,320,732	06/14/1994	Nankai et al.	
		US-	5,563,042	10/08/1996	Phillips et al.	
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Foreign Patent Document  Country Code <sup>3</sup> -Number <sup>4</sup> -Kind  Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		CN 1146016	03/26/1997	Panasonic Corporation		
		JP 5164756	6/29/1993	Rohto Pharmaceutical Co.		

Examiner	Date	
Signature	Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449A/PTD JAN 2 3 2007  INFORMATION DISCLOSURE STATEMENT BY APPERATURE  (Use as many sheets as necessary)  Application Number 10/693,305  Filing Date October 24, 2003  First Named Inventor William Crismore  Art Unit 1743  Examiner Name Lyle Alexancer  Sheet 2 of 2 Attorney Docket No. 7404-572	Onder	ne r aperwork recooder	1/42/0/10	D, TO persons are required	to respond to a consecutor or in	domination diffess it contrains a valid OMB control number	
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Sheet 2 of 2 Attorney Docket No. 7404-572					Examiner Name	Lyle Alexancer	
	Sheet	2	of	2	Attorney Docket No.	7404-572	

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s) publisher, city and/or country where published	T <sup>6</sup>		
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